

**ASSEMBLY BILL**

**No. 474**

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**Introduced by Assembly Member Jones**

February 15, 2011

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An act to amend Section 39510 of the Health and Safety Code, relating to air pollution.

LEGISLATIVE COUNSEL'S DIGEST

AB 474, as introduced, Jones. State Air Resources Board.

Existing law establishes in the California Environmental Protection Agency the State Air Resources Board, which is responsible for control of emissions from motor vehicles and is designated the air pollution control agency for all purposes set forth in federal law. Existing law requires the state board to consist of 11 members appointed based on certain qualifications.

This bill would make technical, nonsubstantive changes to those provisions relating to the membership of the state board.

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 39510 of the Health and Safety Code is
- 2 amended to read:
- 3 39510. (a) The State Air Resources Board is continued in
- 4 existence in the California Environmental Protection Agency. The
- 5 state board shall consist of 11 members.
- 6 (b) The members shall be appointed by the Governor, with the
- 7 consent of the Senate, on the basis of their demonstrated interest

1 and proven ability in the field of air pollution control and their  
2 understanding of the needs of the general public in connection  
3 with air pollution problems. Six members shall have the following  
4 qualifications:

5 (1) One member shall have training and experience in  
6 automotive engineering, or closely related fields.

7 (2) One member shall have training and experience in chemistry,  
8 meteorology, or related scientific fields, including agriculture or  
9 law.

10 (3) One member shall be a physician and surgeon, or an  
11 authority on health effects of air pollution.

12 (4) Two members shall be public members.

13 (5) One member shall have the qualifications specified in  
14 paragraph (1), (2), or (3), or shall have experience in the field of  
15 air pollution control.

16 (c) Five members shall be board members from districts who  
17 shall reflect the qualitative requirements of subdivision (b) to the  
18 extent practicable. Of these five members, one shall be a board  
19 member from the south coast district, one shall be a board member  
20 from the bay district, one shall be a board member from the San  
21 Joaquin Valley Unified Air Pollution Control District, or, if the  
22 unified district is abolished, from the San Joaquin Valley Air  
23 Quality Management District if created pursuant to Section 5 of  
24 Chapter 915 of the Statutes of 1994, one shall be a board member  
25 from the San Diego County Air Pollution Control District, and  
26 one shall be a board member of ~~any other~~ *another* district.

27 (d) ~~Any~~ A vacancy shall be filled by the Governor within 30  
28 days of the date on which it occurs. If the Governor fails to make  
29 an appointment for ~~any~~ a vacancy within the 30-day period, the  
30 Senate Committee on Rules may make the appointment to fill the  
31 vacancy in accordance with this section.

32 (e) While serving on the state board, all members shall exercise  
33 their independent judgment as officers of the state on behalf of the  
34 interests of the entire state in furthering the purposes of this  
35 division. No member of the state board shall be precluded from  
36 voting or otherwise acting upon ~~any~~ a matter solely because that  
37 member has voted or acted upon the matter in his or her capacity  
38 as a member of a district board, except that no member of the state  
39 board who is also a member of a district board shall participate in

1 ~~any~~ *an* action regarding his or her district taken by the state board  
2 pursuant to Sections 41503 to 41505, inclusive.  
3 (f) Notwithstanding subdivision (e) of Section 1 of Chapter  
4 1201 of the Statutes of 1991, this section shall become operative  
5 on January 1, 1994.

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